



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

JUL 27 2004
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In re application of :
Siegfried Schelinski : DECISION ON
Serial No. 09/931,126 : PETITION
Filed: August 16, 2001 :
For: POROUS SILICATE GRANULAR MATERIAL AND METHOD FOR
PRODUCING IT :

This is a response to the "PETITION TO WITHDRAW HOLDING OF ABANDONMENT", filed February 27, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of February 05, 2004, for failure to timely file a proper response to the Office letter dated July 08, 2003 be withdrawn. The petitioner asserts that applicant timely filed a proper response and a Petition for Extension of Time to the Office letter of July 08, 2003 on November 07, 2003.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicant did file the proper response to the Office letter of July 08, 2003 in a timely manner. The evidence provided includes : 1) a copy of the Amendment in response to the Office letter of July 08, 2003 and Petition for a one-month Extension of Time with an executed Certificate of Mailing on November 07, 2003; 2) a copy of the returned stamped postcard confirming receipt of the Amendment and Petition for Extension of Time by the USPTO dated November 12, 2003 ; and 3) a copy of a check No. 2334 in the amount of \$55.00 for the fee of one-month extension of time and a copy of Fidelity Account Transaction showing that Check No. 2334 cleared Fidelity on November 20, 2003.



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Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The case will be forwarded to the Technical Support Staff for entering of the Response of November 07, 2003 and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

A handwritten signature in cursive script, appearing to read "J. Stone", is written over a horizontal line.

Jacqueline Stone, Director
Technology Center 1700
Chemical and Materials Engineering

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